

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

Crl.MC.No. 4575 of 2003()

CRIME NO.40/2000 OF KUNNAMKULAM POLICE STATION
CC.1374/2002 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, KUNNAMKULAM
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PETITIONER: IST ACCUSED

ABDUL MANAF, S/O.ABDUL HAMEED,
AMBALATH VEETIL, KADAVIL HOUSE,
ANJANGADI, CHAVAKKAD.

BY ADV. SRI.RAJIT

RESPONDENTS: COMPLAINANT

1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
AT ERNAKULAM.
2. SUMAYYA, W/O.ABDUL MANAF,
PARAKKAL HOUSE, PERUMBILAVU, KARIKKAD,
P.O.THALAPPILLY TALUK, KARIKKAD VILLAGE,
THRISSUR.

BY PUBLIC PROSECUTOR SRI.
BY ADV. SRI.A.SURESAN
BY ADV. M.L.SURESH KUMAR FOR R2

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J

Crl.M.C.No.4575 of 2003

Dated this the 20th day of August, 2007

O R D E R

The petitioner who is the husband has sought for getting quashed the proceedings initiated against him in C.C.No.1374/02 in the court of JFCM, Kunnankulam. The rest of the accused were acquitted vide order of the JFCM, Kunnankulam in C.C.No. 491/2000. The defacto complainant had filed an affidavit before this court to the effect that the matter has been settled. It is submitted that right now they are residing together. In the circumstances, in view of the dictum in **Joshi vs. State of Haryana (2003(2) KLT 1062)** the proceedings pending as C.C.No.1374/02 in the court of JFCM, Kunnankulam is herewith quashed.

The Crl.M.C. is allowed.

**K.R.UDAYABHANU,
JUDGE**

csI

K.R.UDAYABHANU, J

Crl.M.C.No.11683/2002

ORDER

7th August 2007